STATE LEGISLATURE, MADRAS
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THE MADRAS LEGISLATIVE ASSEMBLY.

Friday, 10th August 1956.

The House met in the Assembly Chamber, Government Estate, Mount Road, at nine of the clock, Mr. Speaker (THE HON. SRI N. GOPALA MENON) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

MR. SPEAKER : Questions Nos. 21 and 22 may be taken up together.

Stay of Ministers, etc., at Ootacamund during the summer of 1956

* 21 *Q.*—SRI P. RANGASWAMI REDDIAR : Will the Hon. the Minister for Finance be pleased to state—

(*a*) the number of Ministers who stayed at Ootacamund during the summer of 1956;

(*b*) the number of Heads of Departments who accompanied and stayed with the Ministers; and

(*c*) the total expenses incurred by the Government for their stay?

THE HON. SRI C. SUBRAMANIAM : (*a*) & (*b*) A number of committees and conferences met at Ootacamund in May 1956 and in that connexion Ministers and Heads of Departments connected with the subjects were there for a brief period.

(*c*) The Government consider that the time and labour involved in the collection of particulars will not be commensurate with the public interest that it may serve.

* 22 *Q.*—SRI A. RATNAM : Will the Hon. the Minister for Finance be pleased to state—

(*a*) whether it is a fact that all the Ministers, Secretaries to Government, Departmental Heads, Board Members and Collectors have been to Ootacamund in the month of May 1956; and

(*b*) if so, the amount of travelling allowance and daily allowance claimed by the Ministers, Secretaries to Government, Board Members, Collectors and their staff for their journey?

THE HON. SRI C. SUBRAMANIAM : (*a*) Yes, Sir. A number of committees and conferences met at Ootacamund in May 1956 and in that connexion, Ministers and Officers connected with the subjects were there for a brief period of about ten days on an average. They would have claimed daily allowance and travelling allowance according to rules.

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(b) The Government consider that the time and labour involved in the collection of the particulars will not be commensurate with the public interest that it may serve.

Sri P. RANGASWAMI REDDIAR : Sir, from the experience gained by Hon. Ministers and Heads of Departments, do they consider desirable the exodus of the Government and the holding of the session of the Legislature during the summer months at Ootacamund?

The Hon. Sri C. SUBRAMANIAM : That question does not arise now and I am sure the Legislature which will be coming into existence after the General Elections, will take this into consideration and take decisions.

Sri K. KUNHI MOHAMED SHAFEE : Sir, I would like to know whether it is in order for the Hon. Minister to say that the time and labour involved in the collection of particulars would not be commensurate with the public interest that it may serve and is it in order to refuse information sought for by the Members on the ground that it involves expenditure.

Mr. SPEAKER : Hon. Members are, of course, entitled to put question. But under the Madras Legislative Assembly Rules, under the Lok Sabha Rules and even under the Standing Orders of the House of Commons, there is no obligation on the part of a Minister to reply. The Minister is therefore only morally bound to reply and the Minister can always say that the question cannot be answered on the ground of public interest. When a question is put and answered by the Minister saying that he does not want to answer it on the ground of public interest, then it is open to a Member under the practice obtaining in the House of Commons, to cross-examine the Minister on that matter, in order to find out what is the nature of the public interest involved. An hon. Member can put a question, but whether it should be answered or not on the ground of public interest is absolutely within the discretion of the Minister. If the hon. Members want, I shall quote from May's Treatise on the Law, Privileges and Usage of Parliament : " An answer to a question cannot be insisted upon, if the answer be refused by a Minister on the ground of the public interest, nor can the question be replaced upon the notice paper (see page 341)." Therefore, the refusal to answer the question will not constitute a breach of privilege and I think that the answer is in order.

Sri K. VINAYAKAM : Sir, if it is not possible for the Minister to divulge what happened there on the ground that it is not commensurate with public interest, at least let us know whether any routine work was carried on at Ootacamund by the Heads of Departments and the Collectors or whether any work of a special nature or anything that has got to be done only at Ootacamund was transacted?

The Hon. Sri C. SUBRAMANIAM : Evidently the hon. Member has not looked into the question and the answer. My

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answer that the information cannot be collected and it will not be commensurate with the public interest is only with regard to the expenses incurred by the Government.

SRI V. BALAKRISHNAN : Is it a fact, Sir, that the cool and salubrious climate of Ootacamund helped in taking harmonious and correct decisions at such conferences and other Joint Select Committees of the Assembly? 9–10 a.m.

THE HON. SRI C. SUBRAMANIAM : Apart from the climate, we are always able to transact business in a cool and collected way.

SRI K. P. GOPALAN : I only want to get a clarification from the Chair, that is, with regard to the excessive indulgence on the ground of public interest. I think the Minister can say that he cannot answer a question. But the Members have got a right to ask questions and the Members have also got a right to get a reply from the Minister. I request the Chair to protect the right of the Members.

MR. SPEAKER : I was just telling the hon. Member what was actually in the rules. Every Member has got a right to put a question. But the Minister is not bound to reply. The hon. Member cannot lay his hand on any rule of the Madras Legislative Assembly Rules or of the Lok Sabha Rules or of any Standing Order of the House of Commons to say that a Minister is actually bound to reply. But the Minister is morally bound to reply to every question that is put. He can always say, however, that is against public interests to reply. What this "public interest" is, is a matter of discretion and the Minister is not bound to divulge to the House what is exactly the "public interest". But, in order to ascertain the nature of the public interest, Members can put questions to the Hon. Minister. I think that is fairly clear.

SRI V. R. KRISHNA AYYAR : The Hon. Minister said that ten days had been spent in Ootacamund during the month of May 1956 by Collectors and various other Heads of Departments and there was also a Collectors' Conference held there. May I know whether it is a fact that the Collectors in the enervating climate of Ootacamund spent an hour or two at the Conference and that too, more or less on alternate days so that we may know in public interest how many days were really used and how many man-hours were actually spent by the Collectors at the Conference. And, there was also a discontent amongst the jeep drivers that they were given no allowances whatever, but were asked to go hither and thither. Would the Government consider it in the public interest and see that this lower class of people who were dragged to Ootacamund, not for exactly relaxation or cool climate, are paid properly?

THE HON. SRI C. SUBRAMANIAM : I am really surprised that an experienced Member like Mr. Krishna Ayyar should mix up questions like these which have no connexion with each other,

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But, apart from that, I may assure the hon. Member that we had a very strenuous session at Ootacamund. We had sessions both in the mornings and in the afternoons. The hon. Member had also experience of some Committee meetings. At the Conference there, we turned out much more work than in any other conference and it is not correct to say that we sat for an hour or two, just nominally.

SRI V. R. KRISHNA AYYAR : Sir, I would like to say by way of personal explanation that the point I was driving at, with all deference to the Hon. Minister, was not about the work that we did at the several Committees, but about the Collector's Conference. I was asking whether the Collectors spent all the ten days and all the hours at the Conference and not about . . .

MR. SPEAKER : The question relates to the number of Ministers who stayed at Ootacamund and the number of Heads of Departments who accompanied and stayed with the Ministers. But the hon. Member is diverting to some other matter which cannot really be in the nature of supplementary question.

SRI V. R. KRISHNA AYYAR : The next question (No. 22) refers to all the Ministers, Secretaries to Government, Departmental Heads, Board Members and Collectors. So, evidently, it must be a Collectors' Conference. That was why I was putting a pointed question about the Collectors' Conference, not about the Committee meetings at which the Ministers did quite a lot of work. We did really hard work. But then, I was asking about the Collectors' Conference, whether they worked for an hour or two and that too, on alternate days obviously because the climate was far too . . .

THE HON. SRI C. SUBRAMANIAM : I may tell the hon. Member that we did more strenuous work at the Collectors' Conference than in the Committee meetings. Then, he can understand the nature of the work turned out.

SRI S. DAIVASIGAMONEY : May I know from the Hon. Minister whether this exodus to Ootacamund is likely to become a permanent annual feature and also whether in the conferences held at Ooty, the matter of giving persons free licence to take liquor was considered very seriously?

THE HON. SRI C. SUBRAMANIAM : The grant of free licence for liquor had nothing to do with the conference or the visit of Ministers or the Heads of Departments. If the hon. Member is making any insinuation, then that is insinuation without any basis and he is not justified in doing that. But, as far as the annual exodus is concerned, the Government will consider it on each occasion and it will depend upon the wishes of the Members of the Legislature also.